

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JEFFREY MICHAEL FAIRLEY,	:	Civil No. 1:25-CV-00700
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
C.O. FERRONTI, <i>et al.</i> ,	:	
	:	
Defendants.	:	Judge Jennifer P. Wilson

ORDER

AND NOW, on this 7th day of July, 2025, for the reasons set forth in the accompanying memorandum, **IT IS ORDERED THAT:**

1. Plaintiff's application for leave to proceed in *forma pauperis*, Doc. 2, is **GRANTED**.
2. Plaintiff shall pay the full filing fee of \$350.00, based on the financial information provided in the application to proceed in forma pauperis. The full filing fee shall be paid regardless of the outcome of the litigation.
3. Pursuant to 28 U.S.C. § 1915(b)(1) and (2), the Superintendent/Warden, or other appropriate official at Plaintiff's place of confinement is directed to deduct an initial partial filing fee of 20% of the greater of:
 - (A) the average monthly deposits in the inmate's prison account for the past six months, or
 - (B) the average monthly balance in the inmate's prison account for the past six months.

4. The initial partial filing fee shall be forwarded to the Clerk of the United States District Court for the Middle District of Pennsylvania, P.O. Box 1148, Scranton, Pennsylvania, 18501-1148, to be credited to the above-captioned docket number. In each succeeding month, when the amount in the Plaintiff's inmate prison account exceeds \$10.00, the Superintendent / Warden, or other proper official, shall forward payments to the Clerk of Court equaling 20% of the preceding month's income credited to Plaintiff's prison account until the \$350.00 fee is paid. Each payment shall reference the above-captioned docket number.
5. The Clerk of Court shall send a copy of this Order to the Superintendent/Warden of the institution wherein Plaintiff is presently confined.
6. The complaint, Doc. 1, is deemed **FILED**.
7. All claims against Defendant Gourley are **DISMISSED** without prejudice.
8. In accordance with Federal Rule of Civil Procedure 4(c)(3), the Clerk of Court shall serve a copy of the complaint (Doc. 1), notice of lawsuit and request to waive service of summons (form AO 398), waiver of service of summons (form AO 399) and this Order on Defendants Ferronti, Smith, Lowe, and Dole. In the interest of efficient administrative judicial economy, the court requests that Defendants waive service pursuant to Federal Rule of Civil Procedure 4(d).
9. If service is unable to be completed due to Plaintiff's failure to properly name the Defendants, or provide a correct mailing address, Plaintiff will be required to correct this deficiency. Failure to comply may result in the dismissal of Plaintiff's claims against the Defendants pursuant to Federal Rule of Civil Procedure 4(m).

10. Plaintiff shall maintain on file with the Clerk of Court a current address. *See* M.D. Pa. LR 83.18. If the court is unable to communicate with the Plaintiff because the Plaintiff has failed to notify the court of his address, the Plaintiff will be deemed to have abandoned the lawsuit.

s/Jennifer P. Wilson
JENNIFER P. WILSON
United States District Judge
Middle District of Pennsylvania